

**IN THE FIRST SESSION OF THE FOURTH
PARLIAMENT OF THE FOURTH REPUBLIC
OF GHANA**

**SECOND REPORT OF THE APPOINTMENTS
COMMITTEE**

ON

**THE PRESIDENT'S NOMINATIONS FOR
MINISTERIAL APPOINTMENTS**



10th February, 2005

1.0 INTRODUCTION

Pursuant to Article 78 (1) of the Constitution, His Excellency the President communicated to Parliament for prior approval, his nomination of thirty-four persons for various ministerial appointments. In accordance with Order 172 (2) of the Standing Orders, the Speaker referred the nomination to the Appointments Committee on 13th January, 2005 for consideration and report. The Committee considered the nominations and submitted its report to the House on 1st February 2005 titled "First Report of the Appointments Committee on the President's Nominations for Ministerial Appointments".

In paragraph 5.7 of that Report, the Committee advised this Honourable House to defer its decision on three of the nominees in order to enable further checks on certain aspects of their testimony before the Committee to be conducted. The affected nominees were;

- i. Hon. Sheikh I. C. Quaye - Regional Minister designate for Greater Accra
- ii. Hon. Dr. Richard Anane - Minister designate for Road Transport
- iii. Hon. Isaac Edumadze - Regional Minister designate for Central

The Appointments Committee relying on thorough checks by a Sub-Committee constituted for the purpose has completed its work on the three nominees and hereby submits its report to the House in accordance with Order 172 (4) of the Standing Orders.

2.0 REFERENCE DOCUMENTS

The Committee made reference to the underlisted documents during its deliberations;

- i, Constitution of the Republic of Ghana, 1992
- ii, Standing Orders of the Parliament of Ghana
- iii, Supreme Court Ruling in "J.H. Mensah vs Attorney General" (28th May, 1997)
- iv, Official Report (Hansard), Volume 14; No. 18; 14th Feb., 1997
- v, Official Report (Hansard), Volume 15; No. 27; 8th July, 1997

3.0 PROCEDURE ADOPTED

The procedure adopted for considering the nominees was the same as what was set out in paragraph (3) of the Committee's First Report to the House. On appearing before the Committee, the nominees testified on oath and answered questions on pertinent issues, some of which were relevant to the positions for which they have been nominated. The reactions of the nominees were also sought on certain allegations/protests against their appointment of the nominees.

It may be necessary however, to emphasise that the Committee was guided in the determination of its decision on each nominee by the provisions of article 94 of the Constitution.

4.0 OBSERVATIONS

4.1 Hon. Sheikh I. C. Quaye - Regional Minister-designate for Greater Accra

Hon. Sheikh I.C. Quaye told the Committee that his first term as Regional Minister has seen a considerable control of armed robbery in the Region; fostering peaceful co-existence between traditional authorities and religious bodies on one hand and amongst the traditional authorities on the other. He said when approved, he would continue to ensure peace and security in the region and intensify his efforts to improve sanitation in the capital and thereby reduce the spread of communicable diseases.

In his response to a memorandum objecting to his appointment on grounds that he used his position to influence the award of a refuse collection contract to a company owned by his brother following the abrogation of a similar contract with Group Chagnon, Hon. Quaye said his brother had been involved in waste collection long before he became a Minister and therefore won the contract on merit. He also denied imposing one Yemotele Quaye – a sister – on an association in the makola market as chairperson.

Hon. Quaye confirmed upon questioning that he obtained two Diplomas in Journalism and in Management Studies as stated in his CV before the Committee. When asked to produce the said certificates, the nominee maintained that they were lost in a destruction of his family house at Alajo

a long time ago. This was challenged by an Hon. Member leading to the deferral of the Committee's recommendation on his approval to allow for verification of the claim.

The Sub-Committee, which was set up to check on the veracity of this claim, could not confirm the claim or otherwise. Upon contact with the Rapid Results College (now known as RRC Business College) based in London, where the nominee said he took his courses from 1961 to 1962 for the two Diplomas it was found that the College only offers courses by correspondence and does not award certificates. The source at the College (Margaret Peters) explained that certificates were awarded by various examining bodies chosen by the correspondents. Furthermore, the College does not keep its record of correspondents beyond five years and therefore considering the nominee's claim of having taken the courses in 1961-62, the College had no records on him. On the other hand, the nominee insisted that he could not remember the name(s) of the examining body that awarded his diplomas and that the names of the awarding institutions were embossed on the missing certificates.

In the circumstance, the Committee was obliged by consensus of all eighteen Members present and voting to recommend his nomination for approval by the House in spite of doubts raised by a couple of Members.

4.2 Hon. Dr. Richard Anane (MP) - Minister designate for Road Transport

Hon. Anane told the Committee that his tenure as Minister of Roads and Transport supervised the successful negotiation with Ghana International to take over the operations of Ghana Airways. According to him, the operations of Ghana Airways were fraught with numerous technical and managerial problems. The Government's approach therefore was to adopt measures to halt the escalating debt profile and resuscitate the company for partnership with a strategic investor. He indicated that under the agreement with Ghana International Airlines (GIA) the state would retain a 70% majority share whilst GIA contributes the remaining 30%.

On the country's road network, the nominee said it has been one of the priorities of the Kufour administration to expand and improve on the available infrastructure. He said particular attention was being paid to feeder roads to facilitate the transportation and marketing of farm produce and thereby improve the living conditions of rural dwellers. The nominee

also justified the Metro Mass Transit venture as necessary to provide some relief to commuters in mainly the urban centres and to help enhance productivity.

Asked about some allegations of nepotism and corruption, Dr. Anane responded that they were frivolous and unmeritorious and therefore do not distract his focus. He vehemently denied any links with certain companies alleged to be fronting for him in the execution of projects in the Ministry of Roads and Transport.

Dr. Anane admitted having a child with an American lady known as Alexandra O'Brien. He described his relationship with the lady as an act of grave indiscretion which he regrets but his wife and family have accepted the child and arrangements have been made to take care of him. The nominee however, denied transferring an amount of US \$ 45,000 on two separate occasions amounting to US \$ 90,000 to Ms. O'Brien. This was strongly challenged by an Hon. Member leading to a deferral of the Committee's recommendation on him to allow for further checks over the issue.

The Sub-Committee which was subsequently tasked to look into the matter made contact with Ms. O'Brien in the USA. She informed the Sub-committee that even though she had received over US \$ 90,000 between 2002 and 2003 through various means for her upkeep, she never received an amount of US \$ 45,000 in any single remittance from Hon. Dr. Richard Anane or any source close to him. Witness stated that, apart from three occasions when the nominee personally handed specified cash amounts to her, the bulk of the remittances were received from persons related to or associated with Dr. Anane. She mentioned the occasions as:

- i. Accra - US \$ 10,000 + \$ 3,000
- ii. Germany - Euros 5,000
- iii. London - £ 1,000.

Indeed, a section of the Committee expressed the view that the persons who remitted monies to Ms. O'Brien on behalf of Dr. Anane could not have done so out of sheer generosity and therefore the Committee ought to investigate the nature of their relationship with the nominee to be sure that they were not benefiting unduly from the latter's ministerial position. However, given enormous logistical and time constraints facing the Committee vis-à-vis the danger of embarking on a journey into a bottomless pit, the Committee could not reach a consensus on this matter. It was therefore decided by majority

decision to recommend Hon. Dr. Anane's nomination to this House for approval.

4.3 Hon. Isaac E. Edumadze (MP) - Regional Minister designate for Central

Hon. Isaac Edumadze denied, *in seriatim*, allegations of corruption made against him in a petition received by the Committee. He told the Committee that any asset he owned was through hard work as a commercial farmer and transport operator. He admitted putting up a building at Ajumako but denied that it is estimated at one billion cedis as alleged. He said he owns about six commercial vehicles and about five of farms, all of which serve as additional sources of income for financing his building project. The Committee fully discussed a petition submitted by Hon. P. C. Appiah-Ofori in which a series of allegations were levelled against the nominee and branding him as a corrupt person. The nominee was therefore confronted with the allegations.

The nominee told the Committee that he terminated a ₵ 4.7 billion road contract awarded to Saraswati Civil & Building Construction Ltd. because the project was unduly delayed in spite of his personal warning to the contractor to expedite work. He denied an allegation that the project was terminated because the contractor refused to build a four bedroom house for him (Hon. Edumadze) to cover a kickback on the contract sum. On the circumstances that led to the transfer of eight thousand cement blocks to the contractor's house at Tema, Hon. Edumadze explained that the blocks belong to his Germany-based brother-in-law who had bought them in anticipation of concluding discussions on a plot of land for a building. Unfortunately, an agreement could not be reached on the price of the plot hence he contacted the contractor who readily agreed to keep the blocks at his house in Tema.

The nominee also denied ever demanding an amount of ₵250 million from KE & Sons Contractors before signing a certificate for the payment of bills owed the latter. Unlike his responses to the other allegations, the Committee was not convinced by the nominee's response in this matter and therefore tasked a Sub-Committee to look further into the matter. The Sub-Committee in its work made contact with the Managing Director of KE & Sons Contractors who also denied the allegation.

During its work, the Sub-Committee invited the petitioner, Hon. P. C. Appiah-Ofori, who incidentally is a Member of this Hon. House, and whose petition also included the other allegations. On appearing before the Committee, Hon. Appiah-Ofori insisted on being given the opportunity to prove the entirety of his allegations and not be restricted to the allegation about the ₵250 million as the Sub-Committee was mandated to do. Since the Sub-Committee could not accede to this request as it had a very specific and clear mandate the witness declined to avail his evidence on the said allegation to the Sub-Committee.

A section of the Committee argued for an expansion of the mandate of the Sub-Committee to enable it take the evidence of Hon. Appiah-Ofori and his witnesses in respect of the other allegations against the nominee. The Committee could, however, not reach a consensus on this view and therefore voted by a majority decision to recommend the nomination of Hon. Isaac Edumadze to the House for approval.

5.0 **CONCLUSION and RECOMMENDATIONS**

The work of the Committee has been very challenging in view of resource constraints and the huge public interest generated by the public hearings. Indeed, the Committee itself feels inadequate to conduct checks on issues raised against nominees to its own maximum satisfaction.


The Committee would like to express its deepest gratitude to the media for its diverse support. Whilst some of their investigations and commentaries have prodded the Committee to perform its duties more meaningfully, the Committee is equally sensitive to the risk of turning its work into a forum where nominees could be scandalised beyond repairs based media speculations and mere allegations. The Committee would like to take this opportunity to advise the general public, particularly those who wish to submit memoranda to keep in mind the publicised deadlines to enable the Committee to conduct relevant checks on issues raised where necessary. Finally, the Committee would like to reiterate its call on this Hon. House to enhance its technical and resource capacity to enable discharge the onerous duties imposed on it by the Constitution and Standing Orders of the House.

In conclusion, the Committee recommends that this Honourable House approve the appointment of the three nominees as follows:

- a) by consensus in respect of Hon. Sheikh I. C. Quaye -
Regional Minister designate for Greater Accra, and
- b) by majority decision in respect of:
 - i. Hon. Dr. Richard Anane - Minister-designate for Road Transport, and
 - ii. Hon. Isaac E. Edumadze - Regional Minister-designate for Central.

Respectfully submitted.


Hon. Frederick W. A. BLAY
1st Deputy Speaker and Chairman,
Appointments Committee


Frederick K. NUTSUGAH
Clerk to the Committee
10th February, 2005